

UNITED STATES DISTRICT COURT

for the
District of Arizona

MA
9/1/17
United States of America)

v.)

Felipe Salas Perez,)

a.k.a.: Felipe Salas-Perez,)

a.k.a.: Dany Salas Robledo)

(A078 039 314))

Defendant

Case No. 17-365 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 31, 2017 in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

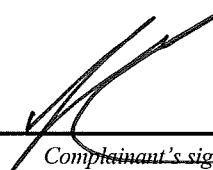
Felipe Salas Perez, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Mesa, Arizona, on or about April 29, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated by Reference Herein

CEB
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Sean K. Lokey


☒ Continued on the attached sheet.


Complainant's signature

Steven T. Case,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: September 1, 2017


Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE


I, Steven T. Case, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On August 31, 2017, Felipe Salas Perez was booked into the Mesa City Jail (MCJ) facility on local charges. While in custody at the MCJ, Salas Perez was encountered by ICE Officer S. Black who determined him to be a citizen of Guatemala, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On September 1, 2017, Salas Perez was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Salas Perez was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Felipe Salas Perez to be a citizen of Guatemala and a previously deported criminal alien. Salas Perez was removed from the United States to Guatemala at or near Mesa, Arizona, on or about April 29, 2016, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no

record of Salas Perez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Salas Perez's immigration history was matched to him by electronic fingerprint comparison.


4. Criminal history checks revealed that Felipe Salas Perez was convicted of Re-Entry of Removed Alien, a felony offense, on April 18, 2016, in the United States District Court, District of Arizona. Salas Perez was sentenced to time served and two (2) year' supervised release. Salas Perez's criminal history was matched to him by electronic fingerprint comparison.
5. On August 31, 2017, Felipe Salas Perez was advised of his constitutional rights. Salas Perez freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about August 31, 2017, Felipe Salas Perez, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Mesa, Arizona, on or about April 29, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for

admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



Steven T. Case,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 1st day of September, 2017.



Michelle H. Burns,
United States Magistrate Judge